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New York

President:	Ms. Müller	(Germany)
Members:	Algeria	Mr. Baali
	Angola	Mr. Lucas
	Benin	Mr. Zinsou
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mrs. D'Achon
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Stamate
	Russian Federation	Mr. Gatilov
	Spain	Ms. Menéndez
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Holliday

Agenda

The situation in the Middle East, including the Palestinian question

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04-32015 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

There being no objection, it is so decided.

I invite Mr. Roed-Larsen to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Terje Roed-Larsen, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. I now give him the floor.

Mr. Roed-Larsen: Today, my report on the situation in the Middle East marks a departure from our traditional monthly briefings. Although more innocent victims have, tragically, fallen on both sides, I will not update the Council on the recent upsurge in violence. I will not caution against a vicious circle of violence and retribution or comment on the specifics of the latest terrorist attacks, the latest incursions or the latest assassinations. Nor will I spell out their impact on the tension in the region. The Secretary-General has clearly stated his positions on all those issues, and the Council debated them at length this week. And, unlike in previous briefings, I will not present the Council with the disheartening details of the tragic humanitarian situation in the West Bank and Gaza, and the dire conditions that United Nations agencies are steadfastly working to mitigate. Council members are all too aware of — and familiar with — those problems.

Instead, I will focus my briefing on what I see as a crucial and potentially seminal juncture for peace efforts in the Middle East. The choices that the parties make, and the paths that they take, will shape the future of Middle East peace for many years to come. I will articulate those choices and will sketch alternative paths shortly. But before I get to them, I would like to emphasize that I fully acknowledge that there is no magic formula for Middle East peacemaking. However, a critical lesson from three years of violence and bloodshed is that only an overall political settlement can reverse the deteriorating security, humanitarian and economic situations both in the occupied Palestinian territories and in Israel. That is why my briefing to the Council today will focus on just that: the real chance for a political solution to the Israeli-Palestinian conflict.

Two months ago, before the Council, I described the Government of Israel's recently announced Gaza withdrawal initiative as a courageous step that could lead to a meaningful revival of the peace process. I praised Prime Minister Sharon for his historic decision to bring the settlers back to Israel and to hand occupied territories back to the Palestinians. In my February briefing, I said, in the context of the Israeli-Palestinian conflict, that

> "No Israeli prime minister has previously had the boldness and the vision to say he will remove settlers — as long called for by the international community — and initiate a plan for its implementation. The proposed step — withdrawal from occupied territory — should be welcomed by all." (*S/PV.4912, p. 2*)

I also said that that step could revive a meaningful peace process by re-engaging the parties and the international community. That in turn could lead to full implementation of the road map and to the realization of the vision of two States, Israel and Palestine, living side by side in peace and security.

Not many shared my optimism at the time, and perhaps even fewer do so today. Some look at the events of the past two weeks as proof that the Government of Israel is avoiding its commitments under the road map and that instead it is attempting to pre-empt the outcome of negotiations to deny the Palestinian people their basic rights. Others look at the Palestinian reaction to Prime Minister Sharon's announcement as proof that the Palestinian Authority is not ready to live up to its road map commitments and

that it is unprepared to assume its responsibilities in vacated Palestinian areas. According to the proponents of those views, it is only a matter of time before havoc and chaos erupt, drawing the parties deeper into conflict and despair.

I choose not to share that pessimism. I still believe that the Gaza withdrawal, if carried out in the right way, can usher in a new era of peacemaking in the Middle East. I also continue to maintain that, if such a withdrawal is implemented in the wrong way, it will lead to more violence, quite possibly bringing us to a new low in the dismal annals of the Palestinian-Israeli tragedy. That is the crossroads at which we find ourselves today.

As I see it, only a rigorously engaged international community, led by the Quartet and by the Council, can enable the parties to make the right choice. Needless to say, any Israeli withdrawal from the West Bank and Gaza that restores Palestinian rights is a welcome development. The withdrawal plans will deliver almost the whole remaining 40 per cent of the Gaza Strip to the Palestinians, in addition to the 60 per cent that was handed over to the Palestinian Authority 10 years ago. They will also include withdrawals in the north of the West Bank. The international community should certainly lend a hand to see that the Palestinians recover their land in Gaza and to ensure that other steps in the same direction follow in the West Bank.

But, for the Gaza withdrawal to mark the beginning of an era of peace and security and a departure from decades of violence, it needs to contain two main elements.

First, the withdrawal should constitute an end of the occupation of the Gaza Strip — not merely a military redeployment — and should be recognized as such by the international community. In other words, the withdrawal should be full and complete, and it should lead to the consolidation of Palestinian control over its territory and international crossings.

Occupation will end only when Palestinians gain control over their affairs in Gaza, when they go about their daily lives without being subjected to Israeli controls, when they live free from the fear of yet another military incursion in their cities and villages and when they can travel to other countries from their territory free from Israeli control. For that to happen, robust and reliable security and administrative arrangements are needed for post-withdrawal Gaza.

The withdrawal from Gaza confronts Israel with a security dilemma: if it withdraws completely but in a context of hostility and mistrust, Gaza could become a launching pad for more attacks against its own territory. If it retains control over territory in, or international access to, Gaza, the occupation continues, and so, most probably, would violent acts against Israel. That would defeat the very purpose of the withdrawal plan.

One way to resolve this dilemma is through temporary and internationally supervised security arrangements. An international presence, with the consent of the parties, would enable Israel to withdraw completely from Gaza and free itself from the occupation. It would also enable the Palestinians to live normally, free from Israeli controls, while rebuilding their shattered security capabilities and fighting terrorism and violence in cooperation with regional and international players.

The second element is that the withdrawal should be accompanied by the implementation of other Palestinian and Israeli obligations under the road map. That is a way of ensuring that the withdrawal constitutes the beginning, and not the end, of a peace process and is an integral part of the Quartet's road map.

Meanwhile, the Palestinian Authority must immediately reorganize its ailing security system under the authority of an empowered Interior Minister and, with the help of its partners, must start taking effective measures to curb violence and terror. Let me put this in the clearest possible terms: there is no excuse for the Palestinian Authority to avoid fulfilling that obligation any longer. Fighting terrorism is not a payoff that depends on the reciprocity of Israeli measures. Terrorism is against international law, and the Palestinian Authority must do everything in its power to end it once and for all. The international community will judge the Palestinian Authority first and foremost by acts in that field.

While preparing for the withdrawal, Israel should immediately remove all settlement outposts erected since March 2001 and completely freeze settlement activities throughout the West Bank. There is no excuse for Israel to avoid that obligation. Settlement activities are also against international law and must come to an end.

To put it another way, the withdrawal from Gaza must be part of the implementation of the road map,

not a substitute for it. The past failures of the parties to implement the road map cannot be a justification for shelving it. In fact, the Gaza withdrawal plan could become a historic opportunity leading to full implementation of the road map.

Allow me to explain why this is necessary. The road map represents the consensus of the international community on how to resolve the protracted Arab-Israeli conflict in a realistic, gradual and comprehensive way, encompassing the Syrian and Lebanese tracks. It has been accepted by both parties and endorsed by the Security Council, the Quartet and regional partners. No previous peace plan has enjoyed such a broad and deep level of support.

The road map tackles both immediate concerns and final status issues, which I will address in turn. Regarding the immediate concerns of security and territory, the road map lays out concrete, reciprocal and parallel steps that both parties should take to reverse the current situation. Security and territory are the most pressing issues of the current conflict and are also the key to any progress.

On security, the core obligation on the Palestinian Authority is the following — and here I quote the text of the road map.

> "Palestinians declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere.
>
> "Rebuilt and refocused Palestinian Authority security apparatus begins sustained, targeted and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure. This includes commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption." (*S/2003/529, annex*)

On security and territory, the core obligation on the Israeli side is the following.

> "[The Government of Israel] takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property as a punitive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet work plan.
>
> "...
>
> "The Government of Israel immediately dismantles settlement outposts erected since March 2001.
>
> "Consistent with the Mitchell Report, [the Government of Israel] freezes all settlement activity, including natural growth of settlements." (ibid.)

Unfortunately, as the Secretariat has already informed the Council, both parties have failed to meet their road map obligations.

The Government of Israel has not dismantled the settlement outposts, implemented a settlement freeze or abstained from taking measures undermining trust. In fact, by the time the road map implementation collapsed last year, settlement outposts had actually increased. Large tracts of Palestinian land were confiscated for the construction of the barrier, which has directly impacted tens of thousands and has made the Palestinians wonder whether they will ever have a viable and independent State. The International Court of Justice is currently deliberating this issue and is expected to give its opinion soon. Also during the attempted implementation of the road map, many Palestinians were killed, including an alarming number of women and children. Meanwhile, extrajudicial assassinations continued, plunging the Palestinian population into a new wave of anger and despair.

Despite the best efforts of Mahmoud Abbas, a Prime Minister committed to peace, the Palestinian Authority failed to curb violence or reorganize its security services under the authority of an empowered Interior Minister. Terrorist attacks continued, claiming more innocent Israeli lives and drawing more Israeli scepticism about the presence of a Palestinian partner for peace. Unable to exercise his powers, Mr. Abbas resigned, bringing the implementation of the road map to a halt. Since then, and despite the goodwill of current Prime Minister Ahmed Qurei, also a man of peace, the Palestinian Authority's credibility is diminishing. In fact, the Palestinian Authority has reached a state of near paralysis.

The aforementioned immediate concerns need to be tackled — and can be tackled — if we are to get to the second key component of the road map: final status

issues. The road map paves the way for the resumption of negotiations aimed at reaching a "final and comprehensive permanent status agreement that ends the Israel-Palestinian conflict in 2005". That agreement — and here I quote the road map,

> "... will resolve the Israel-Palestinian conflict, and end the occupation that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, [United Nations Security Council] resolutions 242 [(1967)], 338 [(1973)] and 1397 [(2002)], agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah — endorsed by the Beirut Arab League Summit". (ibid.)

The road map states those carefully worded parameters, which reflect the consensus of the international community, for a reason: to reassure the parties that a final peace agreement would guarantee their fundamental demands.

Palestinians need to be reassured that a final status agreement will respect their basic rights, enshrined in so many United Nations resolutions, regarding the refugees, the settlements, the status of Jerusalem and the borders. Israelis need to be reassured that the final peace agreement will really be final, putting an end to the conflict and to the claims associated with it, ending terror and violence and leading to Israel's acceptance by all its neighbours. They also need to be reassured that the resolution of the conflict will be based on a negotiated, fair and realistic deal. By articulating such a political horizon to the parties, the road map aims to embolden them to perform the most difficult immediate tasks, notably on security and territory. That is why the road map is called hope-driven and performance-based. It is our firm belief that both dimensions should be maintained.

However, while the road map provides us with the means to get to the final status, the international community will not prejudice the outcome of final status negotiations. Those are matters for the parties.

As a member of the Quartet, we emphasize that no declared views on the possible shape of a final settlement can pre-empt the negotiations on that settlement. This would destroy the hope that drives the road map and erode the parties' ability to perform the tasks it stipulates.

Today, as Prime Ministers Sharon and Qurei have repeated their commitment to the road map, there is a real chance for the implementation of the road map. There is no excuse for further delays, and both parties must take immediate steps towards the implementation of their obligations. Sadly, it is unrealistic to expect that the parties, mired in a violent relationship devoid of almost any trust, will — left on their own — take all the decisions necessary to return to the path to peace. Therefore, it is incumbent on the international community, with the Security Council at the fore, to lead the parties towards a viable solution. The Security Council has, needless to say, the mandate and the responsibility to restore peace and security in that part of the world. Above all, it has the authority and legitimacy to intervene in a way that will ensure the consent of all parties concerned.

In fact, the Security Council has already taken ownership of the Middle East peace process. The foundations of that process are derived both directly and indirectly from its resolutions. By adopting resolution 1397 (2002), the Council enshrined the end goal of the peace process: the vision of two States, Israel and Palestine, living side by side in peace and security. The Council also adopted the way to achieve that goal, the road map, in its resolution 1515 (2003).

Withdrawal from the Gaza Strip set the stage for the next step of the Council's stewardship over the process. In that regard, Israel itself set a precedent with its withdrawal from south Lebanon. As is the case today, direct negotiations between the parties over the terms of the withdrawal from Lebanon were not possible. Israel, therefore, had wisely asked the Secretary-General to help facilitate the withdrawal. Based on a report by the Secretary-General, the Security Council issued a statement defining the parameters of that withdrawal. The statement also set obligations for both sides and asked the Secretariat to work with all parties in order to ensure their compliance with those obligations. Once Israel had fully honoured its obligations, the Council adopted another resolution certifying Israel's conformity with previous resolutions, concluding that the occupation of southern Lebanon had ended and setting parameters for the parties' responsibilities afterwards. As is the case today with the Gaza withdrawal proposal, a unilateral initiative was implemented in full coordination with the international community and the peace partners on the ground. The parameters for success of the Gaza

withdrawal are clear for all to see, and they can only be derived from the parties' obligations under the road map.

Crucial choices lie ahead of us. The Government of Israel could choose to travel the road that leads to a genuine revival of the peace process and, with the assistance of the international community, create conditions that would help the Palestinian Authority to act decisively against violence and terror. It could, however, choose to travel down the path that leads in the opposite direction.

Similarly, the Palestinian leadership could choose to reorganize itself and act decisively against terror and violence. With the assistance of the international community, Palestinian Authority President Arafat could choose to take a historic action in order to reinvigorate and refocus the Palestinian Authority, end the current vacuum and paralysis and revitalize the Palestinian leadership. Such action would address the Palestinian Authority's frustrating and increasing credibility deficit and therefore engage Israel on the track of peace. The Palestinian Authority, however, could also choose inertia or to travel down the path that leads in a different direction.

For its part, the international community could choose vigorous involvement at this stage, helping to transform the Gaza withdrawal plan into a full implementation of the Quartet road map and bringing the parties back to the track of peacemaking based on international legitimacy. That choice would have tremendous implications for the peace and security of the entire Middle East, and I urge the Council and the rest of the international community to seriously consider it. Or, the international community could decide to stand by and watch events as they unfold.

I dread to think of the consequences of such a choice, stemming from a continued delusion on both sides of the divide that by force alone victory can be achieved by either side. May I remind the members of the Council of the words of Bonaparte: "nothing permanent is founded on force". Or, as British diplomat and scholar Robert Cooper has put it,

> "Ultimately there are two sources of power: force and legitimacy. People obey out of fear of violence or out of respect for authority. Civilization and order come from putting force at the service of legitimate authority ... Force without legitimacy brings chaos; legitimacy without force will be overthrown."

The President: I thank Mr. Roed-Larsen for his comprehensive briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussions on the subject.

The meeting was adjourned at 10.40 a.m.